

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER DENYING MOTION TO</b>
	)	<b>MODIFY NO CONTACT ORDER</b>
vs.	)	
	)	
Scott Howard Johnson,	)	Case No. 1:23-cr-092
	)	
Defendant.	)	

---

Defendants is charged in a Superseding Indictment with: six counts of sexual exploitation of a child; one count of attempted sexual exploitation of a child; and one count of possession of images depicting the sexual exploitation of children. (Doc. No. 24). Following a detention hearing on May 25, 2023, the court issued an order detaining him pending further proceedings and prohibiting him from having any direct or indirect contact with any witnesses or alleged victims. (Doc. No. 18).

On July 21, 2023, Defendant filed a motion requesting the court to modify its May 25, 2023, order to permit him to have contact with his wife, a witness in this matter. (Doc. No. 26). He asserts that he needs to have contact with his wife, his primary source of support, to discuss their family business and other family matters unrelated to the instant case. He requests further hearing on this matter. (Doc. No. 27).

On July 26, 2023, the United States filed a response in opposition to Defendant's motion (Doc. No. 28). It asserts that Defendant has defied the court's no contact order by: (1) contacting his wife to, among other things, request that she communicate with the alleged victim; and (2) attempting to indirectly contact the alleged victim via communications with his son.

The United States assertions are very troubling. Given the nature of the offenses charged, Defendant's history of domestic violence, and Defendant's alleged defiance of this court's no contact order, the court is not inclined to lift or otherwise modify the no contact order. The court appreciates that Defendant may rely on his wife for support and would like her assistance in setting up a spending account. However, the court is confident that the latter can be accomplished with counsel's assistance as counsel is not prohibited from having contact with witnesses as is necessary in furtherance of Defendant's legal defense. Defendant's motion and request for further hearing (Doc. Nos. 26 and 27) are therefore **DENIED**.

**IT IS SO ORDERED.**

Dated this 27th day July, 2023.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court